

**Claims Listing:**

- 36.(NEW) A cell-scaffold composition prepared in vitro for growing cells to produce functional vascularized organ tissue in vivo, comprising:
- a porous three-dimensional scaffold composed of a biocompatible polymer and having generally interconnected pores of between approximately 100 and 300 microns in diameter throughout the scaffold and distribution channels molded into the scaffold as a means for introduction of parenchymal cells into the scaffold following implantation into a patient;
  - wherein the biocompatible polymer comprises a polyanhydride;
  - wherein the scaffold provides sufficient surface area to permit attachment of an amount of the cells effective to produce functional vascularized organ tissue in vivo;
  - wherein the scaffold is resistant to compression within the patient, thereby maintaining the pore size of the scaffold between approximately 100 and 300 microns; and
  - wherein the scaffold comprises growth factors.

**REMARKS****Summary of the Office Communication**

The Examiner has found that the amendment filed on June 24, 2003, is non-responsive because the all of the claims to the elected invention, the scaffolds of claims 1-20, were canceled and replaced by claims to a non-elected invention, the methods of claims 21-35.